



CANNON BUILDING
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**STATE OF DELAWARE
BOARD OF ARCHITECTS**

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, May 3, 2017 at 1:30 p.m.
PLACE:	Division of Professional Regulation 861 Silver Lake Blvd., Conference Room B Cannon Bldg., Dover, Delaware 19904
MINUTES FOR APPROVAL:	June 7, 2017

MEMBERS PRESENT

Paul Guggenberger, Professional Member, President
Daniel Ridgely, Professional Member, Secretary
Robert Maffia, Professional Member
Bryan Hutchison, Professional Member
Todd Breck, Professional Member
Rosemarie Vanderhoogt, Public Member
Richard Senato, Public Member

MEMBERS ABSENT

Teresa Wilson, Public Member
Phillip Winder, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jennifer Singh, Deputy Attorney General
Jennifer Witte, Administrative Specialist II

OTHERS PRESENT

Diane Evans
Nancy Payne
Kevin Wilson

CALL TO ORDER

Mr. Guggenberger called the meeting to order at 1:32 p.m.

REVIEW OF MINUTES

A motion was made by Mr. Maffia, seconded by Mr. Ridgely, to approve the minutes from the April 5, 2017 meeting as presented. The motion was unanimously carried.

UNFINISHED BUSINESS

Rules and Regulations Public Hearing – 1:30 p.m.

The hearing went on record at 1:40 p.m. The Board members were introduced. Ms. Singh advised that the purpose of today's hearing was to propose amendments to the rules and regulations that will clarify the continuing education requirement for applicants re-applying for licensure in Delaware, re-implement the IDP waiver and eliminate confusing provisions related to disallowance of acceptable continuing education credits. Ms. Singh marked as Board Exhibits the affidavits of publication for the Delaware State News and News Journal. Ms. Witte verified that to date there have been no written comments received. There were no public comments. Ms. Singh advised that the period for public comment will remain open for an additional 15 days and the Board will deliberate at its next scheduled meeting. The hearing concluded and went off record at 1:46 p.m.

Discussion on What Are Exempt Structures in Delaware

After a brief discussion on the changes that the Board would like to see with regards to what exempt structures in Delaware should be and the legislative process going forward, a motion was made by Mr. Maffia, seconded by Mr. Breck, to approve the changes made to date but keep the discussion open to additional changes. The motion was carried by Mr. Guggenberger, Mr. Senato and Ms. Vanderhoogt. Mr. Ridgely objected.

Ms. Singh suggested that the Board amend the agenda to hold Elections before continuing with the rest of the agenda.

Elections

A motion was made by Mr. Ridgely, seconded by Mr. Breck to Elect Mr. Guggenberger as Board President. The motion was unanimously carried.

A motion was made by Mr. Guggenberger, seconded by Mr. Breck, to elect Mr. Ridgely as Board Secretary. The motion was unanimously carried.

Sign Final Orders

The Board signed the final orders from Hearing Officer Recommendations reviewed at the April 5, 2017 meeting for Joseph Jancuska, William Feeney, Ronald Brasher, Gary Kliesh, David Schultz, Nicholas Staikos, Daniel Ball, Thomas Carr, Richard Buchanan, Frederick Read, and Kevin Ballantyne.

NEW BUSINESS

Ratification of Reciprocity Applications – NCARB Certificate

A motion was made by Mr. Breck, seconded by Mr. Senato, to approve the ratified applications of David Phelps, Richard Abbott, Richard Bencivenga, Thomas Hauck, Thomas Ollinger and Ann Hagerty. The motion was unanimously carried.

Review and Consider Recommendations of the Chief Hearing Officer

Due to one licensee being present, Mr. Guggenberger modified the order that the recommendations were reviewed.

Diane Evans, #S5-0007085

Ms. Evans was present for the review of her recommendation. She addressed the Board stating that she feels that she was not deficient and had excessive hours in 2013 that could have been rolled into 2014 to clear the deficiency. She requested that the Board apply the hours in 2013 to the deficiency in 2014 and imposed no discipline on her license.

After review, a motion was made by Mr. Maffia, seconded by Mr. Breck, to reject the recommendation of the Chief Hearing Officer and apply the two excessive hours in 2013 to the deficiency in 2014 imposing no discipline on Ms. Evans license.

Gary Martinez, #S5-0005887

After review, a motion was made by Mr. Maffia, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, four HSW hours of continuing education be made-up within 90 days of the order being signed and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

William Horn, #S5-0006125

After review, a motion was made by Mr. Maffia, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, strike #3 of the recommended discipline, a monetary fine of \$2500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

John Winkler, #S5-0007037

After review, a motion was made by Mr. Maffia, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Lorin Kramer, #S5-0006342

After review, a motion was made by Mr. Maffia, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Kai Sheng, #S5-0007816

After review, a motion was made by Mr. Maffia, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Victor Franchi, Jr., #S5-0005179

After review, a motion was made by Mr. Maffia, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, a monetary fine of \$1000 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Grayling Johnson, #S5-0007184

After review, a motion was made by Mr. Breck, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Matthew Freeby, #S5-0007340

After review, a motion was made by Mr. Breck, seconded by Mr. Senato, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Stephen O'Neill, #S5-0007817

After review, a motion was made by Mr. Senato, seconded by Mr. Maffia, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Thomas Wiley, #S5-0007604

After review, a motion was made by Mr. Maffia, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, twenty-four HSW hours of continuing education be made-up within 60 days of the order being signed, a monetary fine of \$4000 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Review of Reciprocity Applications

After review, a motion was made by Mr. Ridgely, seconded by Mr. Hutchison, to approve the reciprocity application of Robert Grove. The motion was unanimously carried.

After review, a motion was made by Mr. Breck, seconded by Mr. Senato, to approve the reciprocity application of Brion Lipschutz. The motion was unanimously carried.

After review, a motion was made by Mr. Maffia, seconded by Ms. Vanderhoogt, to propose to deny the reciprocity application of Jessica Senker for not meeting the requirements for licensure. The motion was carried by Mr. Guggenberger, Mr. Ridgely and Mr. Senato. Mr. Breck opposed.

Review of Examination Applications

After review, a motion was made by Mr. Breck, seconded by Mr. Maffia, to approve the application of Michael Lukshides to sit for examination. The motion was unanimously carried.

Review of Reciprocity Applications – NCARB Certificate

After review, a motion was made by Mr. Breck, seconded by Mr. Senato, to approve the reciprocity application of Thomas Smith. The motion was carried by Mr. Guggenberger, Mr. Ridgely and Ms. Vanderhoogt. Mr. Maffia abstained.

Ratification of Certificate of Authorization Applications

A motion was made by Mr. Maffia, seconded by Mr. Breck, to approve the ratified Certificate of Authorization applications of Crawford Architects, LLC., Cunningham Architecture, Inc. and Graphite Design Group, LLC. The motion was unanimously carried.

CORRESPONDENCE

There was no correspondence.

OTHER BUSINESS BEFORE THE BOARD

Mr. Guggenberger advised that he participated in an NCARB Regional call which discussed the budget, cut scores for the ARE 5.0, a review of the draft resolutions, and NCARB's response to the intern titles.

Mr. Breck expressed his concern in the recent applications that have come before the Board for review and resulted in a proposal to deny. He feels that the Board should explore the statutes and regulations of surrounding states in conjunction with our own to determine minimizing future denials for licensure in Delaware.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next meeting will be June 7, 2017 at 1:30 p.m. in Conference Room B.

ADJOURNMENT

There being no further business, a motion was made by Mr. Senato, seconded by Ms. Vanderhoogt, to adjourn the meeting at 3:24 p.m. The motion unanimously carried.

Respectfully submitted,

Jennifer L. Witte

Administrative Specialist II